



**Billing Code 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**Docket ID FEMA-2011-0002**

**[Internal Agency Docket No. FEMA-B-1227]**

**Proposed Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this proposed rule is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before [INSERT DATE 90 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1227, to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (e-mail) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood

insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

Regulatory Flexibility Act. As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

Executive Order 12866, Regulatory Planning and Review. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

Executive Order 13132, Federalism. This proposed rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This proposed rule meets the applicable standards of Executive Order 12988.

#### **List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

#### **PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

**Authority:** 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

<b>Isabella County, Michigan (All Jurisdictions)</b>				
Flooding Source(s)	Location of Referenced Elevation**	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL)		Communities Affected
		Effective	Modified	
Blanchard Mill Pond	Entire shoreline	None	+912	Township of Rolland
Camelot Lake	Entire shoreline	None	+706	Township of Chippewa
Coldwater Lake	Entire shoreline within community	None	+866	Township of Nottawa, Township of Sherman
Halls Lake	Entire shoreline	None	+994	Township of Broomfield
Indian Lake	Entire shoreline	None	+886	Township of Vernon
Lake Manitonka	Entire shoreline within community	None	+936	Township of Sherman
	(downstream of North Brinton Road)			
Lake Manitonka	Entire shoreline within community	None	+941	Township of Coldwater, Township of Sherman
	(upstream of North Brinton Road)			
Lake Windaga	Entire shoreline within community	None	+924	Township of Coldwater, Township of Sherman
Lake of the Hills	Entire shoreline within community	None	+894	Township of Nottawa, Township of Sherman
Littlefield Lake	Entire shoreline	None	+911	Township of Gilmore
Scott Lake Drain	Entire shoreline within community	None	+892	Saginaw Chippewa Tribe, Township of Nottawa
Stevenson Lake	Entire shoreline	None	+850	Township of Vernon
Weidman Mill Pond	Entire shoreline within community	None	+887	Saginaw Chippewa Tribe, Township of Nottawa, Township of Sherman
Woodruff Lake	Entire shoreline within community	None	+913	Township of Broomfield, Township

| | | of Deerfield

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

^Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

#### **ADDRESSES:**

##### **Saginaw Chippewa Tribe:**

Maps are available for inspection at the Office of the Tribal Clerk, Saginaw Chippewa Indian Tribe, 7070 East Broadway Street, Mount Pleasant, MI 48858

##### **Township of Broomfield:**

Maps are available for inspection at the Broomfield Township Hall, 2889 South Rolland Road, Remus, MI 49340

##### **Township of Chippewa:**

Maps are available for inspection at the Chippewa Township Hall, 11084 East Pickard Road, Mount Pleasant, MI 48858

##### **Township of Coldwater:**

Maps are available for inspection at 8328 West Beck Road, Lake, MI 48632

##### **Township of Deerfield:**

Maps are available for inspection at the Deerfield Township Hall, 3032 South Winn Road, Mount Pleasant, MI 48858

##### **Township of Gilmore:**

Maps are available for inspection at the Gilmore Township Hall, 1998 West Stevenson Lake Road, Farwell, MI 48622

##### **Township of Nottawa:**

Maps are available for inspection at the Nottawa Township Hall, 3024 West Weidman Road, Weidman, MI 48893

##### **Township of Rolland:**

Maps are available for inspection at 524 Cedar Street, Blanchard, MI 49310

##### **Township of Sherman:**

Maps are available for inspection at the Sherman Township Hall, 3550 North Rolland Road, Weidman, MI 48893

##### **Township of Vernon:**

Maps are available for inspection at the Vernon Township Hall, 10877 North Lincoln Road, Clare, MI 48617

Washoe County, Nevada, and Incorporated Areas				
Flooding Source(s)	Location of Referenced Elevation**	*Elevation in feet (NGVD) +Elevation in feet (NAVD) #Depth in feet above ground ^Elevation in meters (MSL)		Communities Affected
		Effective	Modified	
211 Creek	Approximately 400 feet downstream of U.S. Route 395	None	+5039	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.42 mile upstream of Union Pacific Railroad	None	+5513	
6015 Creek	At the upstream side of the West Copperfield Creek confluence	None	+5166	City of Reno
	Approximately 1,500 feet upstream of the West Copperfield Creek confluence	None	+5252	
6634 Creek	Approximately 1.11 miles downstream of Union Pacific Railroad	None	+5068	City of Reno
	Approximately 0.47 mile upstream of Union Pacific Railroad	None	+5473	
Copperfield Creek	Approximately 1,600 feet downstream of the West Copperfield Creek confluence	None	+5040	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.92 mile upstream of U.S. Route 395 (southbound on-ramp)	None	+5295	
Evans Creek	Approximately 1,700 feet upstream of Lakeside Drive	None	+4682	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.52 mile upstream of Evans Creek Drive	None	+5070	
Fat Creek	Approximately 460 feet downstream of U.S. Route 395	None	+5040	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.62 mile upstream of Frontage Road	None	+5086	
Flat Creek	Approximately 975 feet downstream of the Flat Creek Split confluence	None	+5043	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.58 mile upstream of the Flat Creek Split confluence	None	+5177	
Flat Creek Split	Approximately 50 feet upstream of Frontage Road	None	+5043	City of Reno, Unincorporated Areas of Washoe County
	Approximately 130 feet downstream of the Flat Creek confluence	None	+5052	
North Evans Creek	Approximately 160 feet downstream of the Evans Creek confluence	None	+4900	Unincorporated Areas of Washoe County
	Approximately 0.74 mile upstream of the Evans Creek confluence	None	+5094	
Short Creek	Approximately 1,500 feet downstream of U.S. Route 395	None	+5039	City of Reno, Unincorporated Areas of Washoe County
	Approximately 0.61 mile upstream of	None	+5153	

West Copperfield Creek	Frontage Road Approximately 1,000 feet downstream of Frontage Road	None	+5060	City of Reno, Unincorporated Areas of Washoe County
	Approximately 1.01 miles upstream of Frontage Road	None	+5259	

\*National Geodetic Vertical Datum.

+North American Vertical Datum.

#Depth in feet above ground.

^Mean Sea Level, rounded to the nearest 0.1 meter.

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Send comments to Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472.

#### **ADDRESSES:**

##### **City of Reno:**

Maps are available for inspection at the City Hall Annex, 450 Sinclair Street, Reno, NV 89501

##### **Unincorporated Areas of Washoe County:**

Maps are available for inspection at the Washoe County Administration Building, 1001 East 9th Street, Reno, NV 89512

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: October 28, 2011

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**David L. Miller,**

Associate Administrator,

Federal Insurance and Mitigation Administration,

Department of Homeland Security,

Federal Emergency Management Agency.

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